



CHRIS DANIEL

HARRIS COUNTY DISTRICT CLERK

August 28, 2018

SCOTT C. POPE
ATTORNEY OF RECORD
1301 FRANKLIN, STE. 100
HOUSTON, TX 77002

FILED IN
14th COURT OF APPEALS
HOUSTON, TEXAS
8/29/2018 3:24:03 PM
CHRISTOPHER A. PRINE
Clerk

Defendant's Name: RAUL BAHENA

Cause No: 1552218

Court: 177TH DISTRICT COURT

Please note the following appeal updates on the above mentioned cause:

Notice of Appeal Filed Date: 8/23/18

Sentence Imposed Date: 8/23/18

Court of Appeals Assignment: Fourteenth Court of Appeals

Appeal Attorney of Record: SCOTT C. POPE

Sincerely,

"/s/" Bijana Williams

Criminal Post Trial Deputy

CC: Kim Ogg
District Attorney
Appellate Division
Harris County, Texas

ALRENE WEBB (DELIVERED VIA E-MAIL)

This is your notice to inform any and all substitute reporters in this cause.

Cause No. 1552218

p. 2

THE STATE OF TEXAS

RAUL BAHENA

v.

, A/K/A/ _____

177th District Court / County Criminal Court at Law No. _____

Harris County, Texas

NOTICE OF APPEAL

TO THE HONORABLE JUDGE OF SAID COURT:

On 8/23/18 (date), the defendant in the above numbered and styled cause gives NOTICE OF APPEAL of his conviction.

The undersigned attorney (check appropriate box):

- ☒ MOVES to withdraw.
☐ ADVISES the court that he will CONTINUE to represent the defendant on appeal.

8/23/18
Date

RAUL BAHENA
Defendant (Printed name)

FILED

Chris Daniel
District Clerk

AUG 23 2018

Time: _____
Harris County, Texas

[Signature]
Attorney (Signature)

PATRICIA SEGURA
Attorney (Printed name)

00784943
State Bar Number

1001 WEST LOOP N.
Address

713-526-0322
Telephone Number

By _____
The defendant (check all that apply):

- ☒ REPRESENTS to the court that he is presently INDIGENT and ASKS the court to immediately APPOINT appellate counsel to represent him.
☒ ASKS the Court to ORDER that a free record be provided to him.
☐ ASKS the court to set BAIL.

Accordingly, Appellant ASKS the Court to conduct a hearing, make findings, and enter an Order Granting the requested relief.

[Signature]
Defendant (Signature)

RAUL BAHENA
Defendant's Printed name

SWORN TO AND SUBSCRIBED BEFORE ME ON 8/23/18

By Deputy District Clerk of Harris County, Texas [Signature]

ORDER

On _____ the Court conducted a hearing and **FINDS** that defendant / appellant

☐ **IS NOT** indigent at this time.

☒ **IS** indigent for the purpose of

☐ employing counsel

☐ paying for a clerk's and court reporter's record.

☒ employing counsel or paying for a clerk's and court reporter's record.

The Court **ORDERS** that

☒ Counsel's motion to withdraw is **GRANTED** / **DENIED**.

☐ Defendant / appellant's motion (to be found indigent) is **DENIED**.

☐ Defendant's / appellant's motion is **GRANTED** and

☐ _____ (attorney's name & bar card number)
is **APPOINTED** to represent defendant / appellant on appeal.

☐ The **COURT REPORTER** is **ORDERED** to prepare and file the reporter's record without charge to defendant / appellant.

BAIL IS:

☐ SET at \$ _____

☐ TO CONTINUE as presently set.

☒ **DENIED** and is SET at NO BOND. (Felony Only)

DATE SIGNED: 8/23/18


JUDGE PRESIDING,

DISTRICT COURT /

COUNTY CRIMINAL COURT AT LAW NO. _____

HARRIS COUNTY, TEXAS

Cause No. 1552218

THE STATE OF TEXAS

IN THE 177th DISTRICT COURTv. RAUL BAHENA

COUNTY CRIMINAL COURT AT LAW No. _____

_____, Defendant

HARRIS COUNTY, TEXAS

TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT OF APPEAL*

I, judge of the trial court, certify this criminal case:

- ☒ is not a plea-bargain case, and the defendant has the right of appeal. [or]
- ☐ is a plea-bargain case, but matters were raised by written motion filed and ruled on before trial, and not withdrawn or waived, and the defendant has the right of appeal. [or]
- ☐ is a plea-bargain case, but the trial court has given permission to appeal, and the defendant has the right of appeal. [or]
- ☐ is a plea-bargain case, and the defendant has NO right of appeal. [or]
- ☐ the defendant has waived the right of appeal.

[Signature]
Judge

8/23/18
Date Signed

I have received a copy of this certification. I have also been informed of my rights concerning any appeal of this criminal case, including any right to file a pro se petition for discretionary review pursuant to Rule 68 of the Texas Rules of Appellate Procedure. I have been admonished that my attorney must mail a copy of the court of appeals's judgment and opinion to my last known address and that I have only 30 days in which to file a *pro se* petition for discretionary review in the court of appeals. TEX. R. APP. P. 68.2 I acknowledge that, if I wish to appeal this case and if I am entitled to do so, it is my duty to inform my appellate attorney, by written communication, of any change in the address at which I am currently living or any change in my current prison unit. I understand that, because of appellate deadlines, if I fail to timely inform my appellate attorney of any change in my address, I may lose the opportunity to file a *pro se* petition for discretionary review.

X Raul Bahena

Defendant

PATRICIA SEGURA

Defendant's Counsel

FILED

Mailing Address: _____

Chris Daniel
District ClerkState Bar of Texas ID number: 00784943Telephone number: AUG 23 2018Mailing Address: 1001 WEST LOUDON

Fax number (if any): _____

Time: _____

Harris County, Texas

By _____

Deputy

Telephone number: 713/526-0322

Fax number (if any): _____

* "A defendant in a criminal case has the right of appeal under these rules. The trial court shall enter a certification of the defendant's right to appeal in every case in which it enters a judgment of guilt or other appealable order. In a plea bargain case-that is, a case in which a defendant's plea was guilty or *nolo contendere* and the punishment did not exceed the punishment recommended by the prosecutor and agreed to by the defendant - a defendant may appeal only: (A) those matters that were raised by a written motion filed and ruled on before trial, or (B) after getting the trial court's permission to appeal." TEXAS RULES OF APPELLATE PROCEDURE 25.2(a)(2).

APPEAL CARD

14/18

10/22/18 1552218

Court 174th

Cause No. _____

The State of Texas

Bahena, Rawl Vs

8/23/18

Date Notice
Of Appeal: August 23, 2018

Presentation: Vol. _____ Pg. _____

Judgment: Vol. _____ Pg. _____

Judge Presiding Leslie Yates

Court Reporter Arlene Webb

Court Reporter _____

Court Reporter _____

Attorney
on Trial Patricia Segura

Attorney
on Appeal _____

Appointed 8 Hired _____
Offense aggravated robbery w/
a deadly weapon

Jury Trial Yes ✓ No _____

Punishment
Assessed 25 years TDCJ

Companion Cases
(If Known) _____

Amount of
Appeal Bond Ø

Appellant
Confined: Yes ✓ No _____

Date Submitted
To Appeal Section Aug. 23, 2018

Deputy Clerk Edgema Fernandez 22/1997